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Date: April 9, 2004

Docket No.: 2801-0187P

MS PATENT APPLICATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is a Request for filing a ☐ continuation ☒ divisional
☐ continuation-in-part application under 37 C.F.R. § 1.53(b) of
pending prior Application No. 08/455,280 filed on May 31, 1995,
the entire contents of which are hereby incorporated by
reference,
by

Robert K. SCHULTZ, David W. SCHULTZ, Martin J. OLIVER, Robert A.
MORIS and Philip A. JINKS

for

SUSPENSION AEROSOL FORMULATIONS

- ☒ Enclosed is an application consisting of specification,
claims, declaration and drawings/photographs (if
applicable).

2. ☒ The filing fee has been calculated as follows:

| | | | LARGE ENTITY | SMALL ENTITY |
|--|-----------------|-----------------|---------------|---------------|
| BASIC FEE | | | \$770.00 | \$385.00 |
| | NUMBER FILED | NUMBER EXTRA | RATE FEE | RATE FEE |
| TOTAL CLAIMS | 20-20 = | 0 | x 18 = \$0.00 | x 9 = \$0.00 |
| INDEPENDENT CLAIMS | 1-3 = | 0 | x 86 = \$0.00 | x 43 = \$0.00 |
| <input checked="" type="checkbox"/> MULTIPLE DEPENDENT CLAIMS PRESENTED | | | + \$290.00 | + \$145.00 |
| TOTAL | | | \$770.00 | \$0.00 |

3. ☒ A check in the amount of \$770.00 to cover the filing fee and recording fee (if applicable) is enclosed.
4. ☐ Please charge Deposit Account No. 02-2448 in the amount of \$0.00. A triplicate copy of this request is enclosed.
5. ☐ Enclosed is/are _____ (____) sheet(s) of formal drawings and/or photographs.
- 6a. ☐ A statement claiming small entity status was filed in prior Application No. 08/455,280 on _____. See the attached copy of the statement claiming small entity status.
- 6b. ☐ The current application qualifies for small entity status.
7. ☒ The prior application is assigned to 3M COMPANY.
8. ☐ A Preliminary Amendment is enclosed.
- 9a. ☒ Priority of Application Nos. 08/455,280; 07/878,039; 07/809,791; and 07/810,401 filed in the United States on May 31, 1995; May 4, 1992; December 18, 1991; and December 18, 1991, are claimed under 35 U.S.C. § 120.
- 9b. ☐ Priority of International Appln. _____ filed on _____ under the Patent Cooperation Treaty and _____ Application No. _____ filed in _____ on _____ under 35 U.S.C. § 120 and/or § 119 are hereby reclaimed.

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10. ☐ An Information Disclosure Statement and PTO-1449 form(s) are attached hereto for the Examiner's consideration.
11. ☒ Address all future communications to:


BIRCH, STEWART, KOLASCH & BIRCH, LLP
P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000

or
Customer No. 02292
12. ☐ An extension of time for _____ () month(s) until _____ has been submitted in parent Application No. 08/455,280 in order to establish co-pendency with the present application.
13. ☐ Also enclosed herewith is the following:

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By 
Gerald M. Murphy, Jr., #28,977

GMM/las
2801-0187P

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Attachment(s)

(Rev. 02/13/2004)